

REMARKS

By the present communication, Claims 1, 4, 8, 17, 20 and 35 have been amended to define Applicant's invention with greater particularity. Support for the amendments is found throughout the application and the claims as filed. Claim 6 has been canceled without prejudice. The amendments and new claims are presented in response to issues raised in the final Office Action, and are respectfully submitted to place the application in condition for allowance or, in the alternative, to reduce the issues upon appeal. Accordingly, entry of the amendment and new claims submitted herewith is respectfully requested. Upon entry of this amendment, Claims 1-5, 7-24 and 32-35 will be pending. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

As a preliminary matter, Applicant's representative thanks the Examiner for courtesies extended to Applicant and Applicant's representative during the telephone conference of January 28, 2004, as well as the earlier telephone conference with Applicant's representative on January 9, 2004.

As understood by Applicant's representative, during the January 9, 2004 telephone conference, the Examiner agreed to withdraw the rejection of claim 4 under 35 U.S.C. § 112, second paragraph, if the word "derivatives" is removed from the claim. The Examiner also agreed to withdraw the rejections of claims 20 and 35 under 35 U.S.C. § 112, second paragraph, if the phrase "less than about" is amended to "about two percent water by weight or less than two percent water by weight" in claim 20 and if a similar amendment is made for claim 35. The rejection of claims 1-3 and 7 under 35 U.S.C. § 103(a) over Carter was confirmed as withdrawn. Agreement was not reached on the rejection of claims 1-7 under 35 U.S.C. § 103(a) as allegedly unpatentable over Beall. However, the Examiner agreed to continue the telephone conference with the inventor present.

As understood by Applicant's representative, during the January 28, 2004 telephone conference, it was agreed that claims 1-5 and 7 are allowable over the art of record if the elements of Claim 6 are incorporated into Claim 1 and Claim 6 is canceled.

By the present communication, the amendments discussed above have been made to Claims 1, 4, 20, and 35. In addition, Claims 8 and 17 were amended to make them consistent with Claim 4. Applicant respectfully submits that all pending claims are in condition for allowance and requests the withdrawal of all remaining rejections.

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. If any issue remain to be resolved in view of this response, the Examiner is invited to contact the undersigned at the telephone number set forth below so a prompt disposition of this application can be achieved.

Respectfully submitted,

Date February 4, 2004

By  _____

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